

REMARKS

Applicants file concurrently herewith a Request for Continued Examination (RCE) in response to the Final Office Action mailed November 17, 2006 (hereinafter, "Office Action"). In the Office Action, the Examiner rejected claims 1-21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application No. 09/795,219 to Walters et al. (hereinafter, "*Walters*"). The Examiner maintained these rejections in the Advisory Action mailed March 22, 2007.

By this response, Applicants hereby amend claims 17, 19, and 21, and add new claims 22-30. Accordingly, claims 1-30 are currently pending.

Based on the foregoing amendments and following remarks, Applicants respectfully traverse the rejection of claims 1-21 under 35 U.S.C. § 102(e), and request the timely allowance of the pending claims.

I. Rejection of Claims 1-21 Under 35 U.S.C. § 102(e)

The Examiner rejects claims 1-21 under 35 U.S.C. § 102(e) as being anticipated by *Walters*. However, Applicants submit herewith declarations under 37 C.F.R. §1.131, signed by each inventor, indicating that *Walters* does not qualify as prior art against claims 1-21 and new claims 22-30. Specifically, as evidenced by the attached documents, the named inventors in the above-identified application had completed, in this country, the invention as described and claimed in the above-identified application prior to February 27, 2001.

Because *Walters* does not qualify as prior art, the rejection of claims 1-21 under 35 U.S.C. § 102(e) should be withdrawn and the claims allowed.

II. Claims 22-30

As established above, *Walters* does not qualify as prior art against Applicants' claims 1-21. Accordingly, *Walters* cannot anticipate nor render obvious newly added claims 22-30 for at least the same reason as set forth above in connection with claims 1-21.

III. Conclusion

In view of the foregoing amendments and remarks, Applicants submit that this claimed invention is neither anticipated nor rendered obvious in view of the cited art. Applicants therefore request reconsideration and reexamination of this application, and the timely allowance of the pending claims.

In addition, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statements are identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 17, 2007

By: 

Joseph E. Palys
Reg. No. 46,508

Attachments:

- Declaration Under 37 C.F.R. § 1.131, signed by Jeremy P. Clifford;
- Declaration Under 37 C.F.R. § 1.131, signed by Nathan T. Czyzewski;
- Declaration Under 37 C.F.R. § 1.131, signed by Kristi S. Hebner;

- **Declaration Under 37 C.F.R. § 1.131, signed by Michael T. Anderson;**
- **Declaration Under 37 C.F.R. § 1.131, signed by Hilary J. Rhodes; and**
- **Business Case and Product Requirement Document entitled, “Build Your Own Credit Card”**